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2
3 BILL NO. Z-75-08-12

4 ZONING MAP ORDINANCE NO. Z- Rest

5 AN ORDINANCE amending the City of Fort
6 Wayne Zoning Map No. C-14

7 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
8 WAYNE, INDIANA:

9 SECTION 1. That the area described as follows is hereby designated
10 a B-3-A district under the terms of Chapter 36, Municipal Code of the City of
11 Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and
12 amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No.
13 C-14, referred to therein, established by Section 9, Article III of said Chapter
14 as amended, are hereby changed accordingly, to-wit:

15 Lots Numbered 25 and 26 in Southdale Park
16 Addition to the City of Fort Wayne, according
17 to the recorded plat of said addition, the plat
18 being recorded in Plat Record 16, page 81

19 SECTION 2. This Ordinance shall be in full force and effect from
20 and after its passage, approval by the Mayor and legal publication thereof.

21
22 Eugene Kraush
23 Councilman

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33 APPROVED AS TO FORM
34 AND LEGALITY,
35 W. B. C.
CITY ATTORNEY

Read the first time in full and on motion by Kraus, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and ~~Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.~~

Date: 8/22/75

Charles W. Elstner
CITY CLERK

Read the third time in full and on motion by Muckers, seconded by V Schmidt, and duly adopted, placed on its passage.

~~Passed~~ (LOST) by the following vote:

	AYES <u>0</u>	NAYS <u>8</u>	ABSTAINED <u>1</u>	ABSENT _____ to-wit:
BURNS	_____	<u>X</u>	_____	_____
HINGA	_____	<u>X</u>	_____	_____
HUNTER	_____	_____	_____	_____
KRAUS	_____	_____	<u>X</u>	_____
MOSES	_____	<u>X</u>	_____	_____
NUCKOLS	_____	<u>X</u>	_____	_____
SCHMIDT, D.	_____	<u>X</u>	_____	_____
SCHMIDT, V.	_____	<u>X</u>	_____	_____
STIER	_____	<u>X</u>	_____	_____
TALARICO	_____	<u>X</u>	_____	_____

DATE: 12-23-75

Charles W. Elstner
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. _____ on the _____ day of _____, 197____.

ATTEST: (SEAL)

Charles W. Elstner
CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 197____, at the hour of _____ o'clock _____ M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 197____, at the hour of _____ o'clock _____ M., E.S.T.

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 12, 1975, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-75-08-12; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

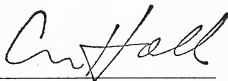
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 15, 1975;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 22, 1975.

Certified and signed this
26th day of September, 1975.



Charles N. Hall
Secretary

~~filed~~

Bill No. Z-75-08-12

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. C-14

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance to not PASS.

SAMUEL TALARICO
Eugene Kraus, Jr. - Chairman

John Nuckols - Vice-Chairman

Vivian G. Schmidt

Paul M. Burns

Donald J. Schmidt

Samuel J. Talarico
John Nuckols
Vivian G. Schmidt
Paul M. Burns

CONCURRED IN

DATE 12/23/75 CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

GENERAL FUND

No 023

FT. WAYNE, IND.

RECEIVED FROM

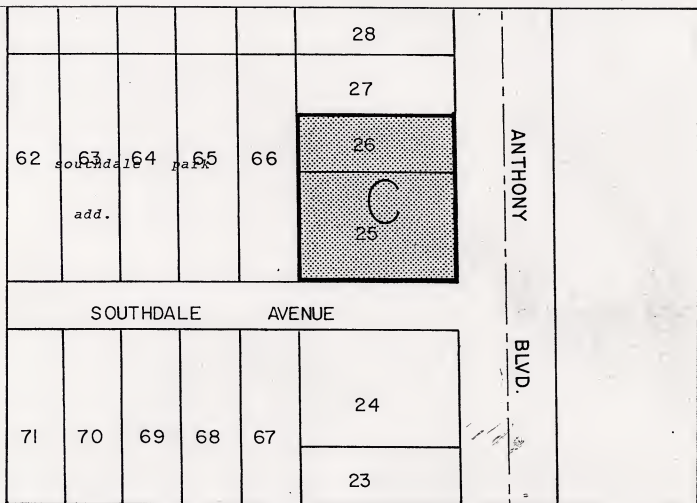
THE SUM OF

ON ACCOUNT OF

July 18 1975
Shelton Moppert & Solomon \$ 50⁰⁰
Fifty dollars
Resub - Lots #25 & 26
Southdale Park Addition

Nancy L. L. L.

AUTHORIZED SIGNATURE



TO BE CHANGED FROM R I TO B-3-A

Bill No. Z-75-08-12

7-21-75

C-14

L.S.



TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____

Intended Use _____

I/We FORT WAYNE BICYCLE, INC.

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R1 district to a/an B3A district the property described as follows:

Lots Numbered 25 and 26 in Southdale Park Addition
to the City of Fort Wayne, according to the recorded
plat of said addition, the plat being recorded in
Plat Record 16, page 81.

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

<u>Victor L. Clem</u>	<u>6806 South Anthony Blvd.</u>
	<u>Fort Wayne, Indiana</u>
<u>Lydia P. Clem</u>	<u>6806 South Anthony Blvd.</u>
	<u>Fort Wayne, Indiana</u>

Victor L Clem
Lydia P Clem

(Name)

(Address)

(Signature)

Legal Description Checked By: _____
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

<u>Robert J. Schmoll</u>	<u>1212 Anthony Wayne Bnk Bldg.</u>	<u>(219) 423-3331</u>
(Name)	<u>Fort Wayne, Indiana 46802</u>	(Telephone Number)

CITY PLAN COMMISSION, CITY-COUNTY BUILDING, Room # 880, ONE MAIN STREET, FORT WAYNE, INDIANA, 46802
Telephone Number: 423-7571

In Ref. to Bill # Z-75-08-12

(11)

To. City Plan Commission
City County Building
One Main St.
Ft. Wayne, Ind.

Date Sept. 11-1975

Concerning the request for change in zoning of Lot # 25 and #26 Southdale park addition from "R1" to a "B3A."

We the undersigned property owners, purchasers, and residents, in the adjacent and near vicinity of lots # 25 and 26, refered to above, ask that this zoning request be denied for three few of many reasons.

1. The city does not approve of spot zoning.
2. A business sit in by itself in a residential district will devalue the properties around it.
3. If this request is approved it will pave the way for other businesses and enterprises to do the same.
4. Some businesses and enterprises, altho, legitimate by law are very objectional to have in a residential district.
5. Also a small business placed on these two lots would hinder any future development by a Real Estate Broker or Developer, who would want all the property in the 6600 and 6700 Blocks for a "Real" Business enterprise.
6. In checking with a prominent Real Estate Broker they advised that we oppose this change. The township assessors office said this would decrease the value of residential property in the vicinity.

Signed:

George M. England, 6702 So. Anthony
Bartholomew C. Patter England 6702 So Anthony
Margaret K. Leslie 1619 Southdale
John W. Leslie 1619 Southdale
James J. England Sept. 15/75 Southdale

James M. Olney 1605 Southdale
Lester E. Trace 1616 Southdale
Ester & Howell 1615 Southdale
Johnny J. Haywood 1702 GABLE
Ruth E. Smith 1524 Gable
Robert W. Matta 1610 Southdale -

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment Ordinance3-75-08-12DEPARTMENT REQUESTING ORDINANCE COMMUNITY DEVELOPMENT AND PLANNINGSYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning of the
following property:North-west corner of Southdale Avenue and Anthony Blvd.From "R1" to "B3A"EFFECT OF PASSAGE Property is presently zoned "R1" - One Family Residence.The use on this property is a legal non-conforming use.EFFECT OF NON-PASSAGE If property remains an "R1" - the use is
still permitted as a legal non-conforming use, although it will ~~not~~ not be
able to expand.MONEY INVOLVED (Direct Costs, Expenditures, Savings) noneASSIGNED TO COMMITTEE (J.N.) Regulation J.N.